

### Special Notice on Senate Joint Resolution 10

Senator Hardeman gave notice that he would on tomorrow move to suspend the rules to consider S. J. R. No. 10.

### Special Notice on Senate Bill 165

Senator Hudson gave notice that he would on tomorrow move to suspend the rules to consider S. B. No. 165.

### Adjournment

On motion of Senator Hardeman the Senate at 12:09 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

## THIRTY-NINTH DAY

(Tuesday, March 21, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

### Absent—Excused

Herring

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Teach us, our Father, that life is a battleground. We wrestle not against flesh and blood, but against spiritual wickedness in high places. Arm us with Thy truth, the sword of Thy spirit, and the shield of faith that we may be able to stand against the wiles of the wicked. We pray in the name of Christ. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

### Leave of Absence

Senator Herring was granted leave of absence for today on account of important business on motion of Senator Krueger.

### Senate Resolution 218

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of Poth High School in Wilson County, accompanied by their teacher and sponsor Charles Koch and Gilbert Reinhart; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students, their teacher, and sponsor to the Members of the Senate.

### Senate Resolution 219

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Junior and Senior Classes of East Bernard High School, accompanied by their sponsors, Louis Naiser, Herman Schoenemann, Robert W. Jackson, Mrs. Herbert Ryan, and Miss Val Waters; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students and their sponsors to the Members of the Senate.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
March 16, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 59 by vote of 121 ayes, 16 noes.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 68: House has appointed the following Conference Committee: Cole of Harris, Collins, Dewey, Hollowell, Pieratt.

The House refused to concur in Senate amendments to H. J. R. No. 46 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. The House has appointed the following Conference Committee: Messrs. Buchanan, Bartram, Chapman, Collins, and Fairchild.

The House refused to concur in Senate amendments to House Bill No. 119 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. The House has appointed the following Conference Committee: de la Garza, Bridges, Eckhardt, Nugent, Spilman.

H. C. R. No. 47, Providing for certain closing time for Easter holiday for State Departments.

H. C. R. No. 52, Inviting Gabe Paul to speak to Joint Session of House and Senate.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Resolution 220

Senator Secrest offered the following resolution:

Whereas, Bishop William C. Martin of the Dallas-Fort Worth Area of the Methodist Church is a guest in the Senate today; and

Whereas, He is accompanied by Dr. Alvin S. Gafford, pastor of First Methodist Church of Temple, in which Church Bishop Martin is this week conducting an evangelistic mission; and

Whereas, Bishop Martin is one of the most renowned, beloved, and effective church statesmen of the United States, having served in the Episcopacy of the Methodist Church since 1938; and

Whereas, Our guest has served as pastor of Grace Methodist Church in Houston, First Methodist Church of Port Arthur, First Methodist Church of Little Rock, First Methodist Church of Dallas; and

Whereas, Bishop Martin is a past president of the National Council of Churches, a past president of the Methodist Council of Bishops, and is presently a member of the Central Committee of the World Council of Churches; and

Whereas, This Christian leader serves with unselfish devotion on countless boards of his Church, of colleges, hospitals, homes for children and aged, and in numerous other agencies and groups dedicated to the alleviation of human suffering and the promotion of spiritual enrichment; now, therefore, be it

Resolved, By the Senate of Texas, that Bishop William C. Martin and Dr. Alvin S. Gafford be extended a cordial welcome from this body, and that they be extended the courtesy of the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Secrest by unanimous consent presented the guests to the Members of the Senate.

**Senate Resolution 221**

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate 5th and 6th Grades of Highland Park School of Austin, accompanied by their teacher, Mrs. DeEtta Sayers; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

**KRUEGER  
HERRING**

The resolution was read and was adopted.

Senator Krueger presented the students and their teacher to the Members of the Senate.

**Reports of Standing Committees**

Senator Lane submitted the following report:

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 248, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

**LANE, Chairman.**

Senator Roberts submitted the following report:

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 1, have had the same under consideration, and we are instructed to report it back to the Senate with the

recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be not printed.

**ROBERTS, Chairman.**

C. S. S. B. No. 1 was read the first time.

Senator Aikin submitted the following report:

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 207, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

**AIKIN, Chairman.**

C. S. H. B. No. 207 was read the first time.

Senator Hardeman submitted the following reports:

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 349, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

**HARDEMAN, Chairman.**

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 273, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

**HARDEMAN, Chairman.**

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Juris-

prudence, to which was referred S. B. No. 401, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that Committee Substitute adopted in lieu thereof do pass and be printed.

HARDEMAN, Chairman.

C. S. S. B. No. 401 was read the first time.

Senator Kazen submitted the following report:

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Legislative, Congressional and Judicial Districts, to whom was referred H. B. No. 351, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Senator Moffett submitted the following reports:

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to whom was referred H. B. No. 265, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to whom was referred S. B. No. 394, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Senator Rogers submitted the following reports:

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 324, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 174, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 11, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

ROGERS, Chairman.

Senator Aikin submitted the following report:

Austin, Texas,  
March 21, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 476, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. C. R. No. 48, Congratulating

the Cougarettes of Buna High School on winning the Class AA girls' basketball championship.

H. C. R. No. 50, In memory of Amos A. Martin of Paris, Texas.

H. C. R. No. 51, In memory of James W. (Jim) Stell of Lamar County.

H. C. R. No. 53, Commending the Interstate Oil Compact Commission for its outstanding accomplishments in conservation of oil and gas, and inviting members to visit the Legislature.

H. B. No. 219, An Act authorizing the Board of Regents of the University of Texas for and on behalf of Texas Western College, El Paso, Texas, to acquire by purchase, exchange or otherwise tracts of land in El Paso County, Texas, contiguous and/or adjacent to the campus of Texas Western College when deemed necessary by the Board of Regents; and declaring an emergency.

H. B. No. 283, A bill to be entitled "An Act limiting the provisions of this Act to the County of McCulloch making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any antlerless deer, wild turkey, quail, or fish in said County after May 1, 1961; etc., and declaring an emergency."

H. B. No. 364, A bill to be entitled "An Act limiting the provisions of this Act to the County of Gillespie, making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any antlerless deer, wild turkey, quail, or fish in said county after May 1, 1961; etc., and declaring an emergency."

H. B. No. 387, A bill to be entitled "An Act making it unlawful to hunt, take or kill deer in Cooke and Grayson Counties at any time; providing penalties for violations; and declaring an emergency."

H. B. No. 76, Establishing the Howard County Juvenile Board; and declaring an emergency.

H. B. No. 494, Creating the Denton State School Independent School District; providing for its territorial limits; providing for trustees; pro-

viding for taking census and certifying scholastics; and creating an emergency.

H. B. No. 587, Relating to a Hospital District within the boundaries of County Commissioners Precinct No. 4 of Comanche County; amending Section 1 of Chapter 9, Acts of the Fifty-sixth Legislature, First Called Session, 1959, to enable the Hospital District to issue bonds for the purpose of purchasing or acquiring, equipping, maintaining and operating a hospital system; and declaring an emergency.

H. B. No. 617, Amending Section 1 of Chapter 183, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended, by removing doves from the open season provided for certain game in McMullen County; and declaring an emergency.

H. B. No. 199, A bill to be entitled "An Act permitting certain counties to construct operate and maintain an office building and certain offices outside the county seat; and declaring an emergency."

#### Committee Substitute

#### Senate Bill 1 Ordered Not Printed

On motion of Senator Roberts and by unanimous consent C. S. S. B. No. 1 was ordered not printed.

#### Committee Substitute

#### House Bill 207 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent C. S. H. B. No. 207 was ordered not printed.

#### House Bill 351 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent H. B. No. 351 was ordered not printed.

#### Senate Resolution 223

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Government classes of Maypearl High School, Maypearl, Texas, accompanied by their sponsors, Mr. Curtis N. Cochran, Superintendent of Schools, and Mr. Mayfield, the school bus driver; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the ac-

ceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Martin by unanimous consent presented the students and their sponsors to the Members of the Senate.

(Senator Martin in the Chair.)

#### Senate Bills on First Reading

The following local bills were introduced, read first time and referred to the Committee indicated:

By Senator Smith:

S. B. No. 407, A bill to be entitled "An Act amending Section 1 of Chapter 36, Acts of the 51st Legislature, 1st Called Session, 1950, (Compiled as Article 978n-1 of Vernon's Texas Penal Code) to bring Cochran County within the regulatory authority of the Game and Fish Commission; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Reagan:

S. B. No. 408, A bill to be entitled "An Act validating (a) Nueces County Water Control and Improvement District Number 4 (b) the present boundaries of the District (c) the organization of its Board of Directors and all governmental acts and proceedings heretofore accomplished (d) the outstanding bonds of the District and the levy and collection of Taxes and the fixing of water rates and charges in support thereof; providing that no further hearings on exclusion of land shall be necessary and that the ad valorem basis of levying taxes shall be employed without further hearings on a plan of taxation; providing that the District shall be empowered to acquire and provide sanitary and storm sewer facilities; providing that bonds of the District shall

be authorized instruments and eligible to secure deposits of public funds in certain instances; declaring the District essential; and declaring an emergency."

To the Committee on Water and Conservation.

#### Senate Bill 409 on First Reading

Senator Parkhouse moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—30

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

#### Absent—Excused

Herring

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Parkhouse:

S. B. No. 409, A bill to be entitled "An Act validating the additions of land and annexations to Dallas County water control and improvement District No. 6, and declaring an emergency."

To the Committee on Water and Conservation.

#### Senate Bill 410 on First Reading

Senator Fuller moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

## Absent—Excused

Herring

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Fuller:

S. B. No. 410, A bill to be entitled "An Act applying to incorporated cities and towns having a population of more than 100,000 inhabitants according to the Federal Census last preceding the taking of action hereunder (referred to hereafter as 'city'); authorizing such city to purchase, build, construct, acquire, improve, enlarge, extend, maintain, repair, and replace any and all properties, improvements and facilities which the governing body thereof deems to be necessary for the elimination of grade-level crossings by railroad lines of the streets of such city and for the relocation of railroad lines within said city (said properties, improvements and facilities being hereafter referred to as the 'Facilities'); providing certain things that said Facilities shall include; authorizing the governing body of the city to enter contracts, leases, conveyances, contracts of sale, lease-purchase contracts, and any other agreements with respect to the Facilities, and containing provisions relating thereto; authorizing the issuance of tax bonds and revenue bonds of the city for the purpose of providing funds for any of the Facilities, and containing provisions relating to said bonds and to said Facilities and the revenues and income thereof; authorizing the mortgaging and encumbering of the physical properties of the Facilities as additional security for revenue bonds

and containing provisions relating thereto and to the Facilities; authorizing the placing of the management and control of the Facilities in the governing body of the city or in a board of trustees; authorizing the issuance of tax refunding bonds and revenue refunding bonds, and containing provisions relating thereto; providing that this Act is cumulative of existing laws, but providing that the provisions of this Act shall govern and prevail over such existing laws and shall take precedence over city charter provisions; validating proceedings heretofore had and actions heretofore taken and contracts heretofore entered into by such city, but excepting from such validation certain pending litigation; providing a severability clause; containing other provisions relating to the subject; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

## Senate Bill 411 on First Reading

Senator Dies moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

## Absent—Excused

Herring

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Dies:

S. B. No. 411, A bill to be entitled "An Act providing that any town

which has been duly and legally incorporated and which has heretofore adopted or may hereafter adopt the provisions of Title 28, Revised Civil Statutes of Texas, 1925, as amended, may change its name or designation from town to city, by ordinance passed by the governing body of such town; provided, however, that the change in the designation of such town shall in no wise affect its corporate existence or powers; providing that bonds which have been voted by such town and which bonds are unissued prior to the change of such designation from town to city may be issued in the name of such city as designated in the ordinance changing its designation; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

#### Senate Bill 412 on First Reading

Senator Roberts moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Hudson	Schwartz
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis

#### Nays—2

Baker	Hardeman
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Absent—Excused

Herring

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Roberts:

S. B. No. 412, A bill to be entitled "An Act amending Article 1107, Re-

vised Civil Statutes of Texas, 1925, as last amended by Chapter 189, Acts of the 49th Legislature, Regular Session, 1945; relating to the authority of incorporated cities and towns to utilize eminent domain powers to condemn private property to establish thereon off-street parking for motor vehicles; and declaring an emergency."

To the Committee on State Affairs.

(President in the Chair.)

#### Senate Bill 413 on First Reading

The following local bill was introduced, read first time and referred to the committee indicated:

By Senator Hazlewood:

S. B. No. 413, A bill to be entitled "An Act providing certain supplemental salary for the District Attorney of the 31st Judicial District; and declaring an emergency."

To the Committee on Legislative Congressional and Judicial Districts.

#### Senate Bill 414 on First Reading

Senator Ratliff moved that Senate Rule 114 and Section 5 of Article III of the State Constitutional be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—30

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent—Excused

Herring

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Ratliff:

S. B. No. 414, A bill to be entitled



"An Act authorizing counties to acquire a supply of fresh water for the courthouse and other county purposes and providing for the acquisition of such treatment and distribution facilities as may be required; providing the circumstances under which such counties may sell water not needed for courthouse and other county purposes to others; providing for the issuance of bonds to pay the cost of such project; providing that such bonds shall be secured by a pledge of the net revenues from the operation of the project; providing that such bonds may be additionally secured by the levy of a tax; prescribing the procedure for the issuance of such bonds; authorizing the issuance of additional bonds to improve, repair and/or extend the project under certain circumstances; authorizing the issuance of refunding bonds; providing bonds issued under Act shall be legal investments for certain banks, fiduciaries and political subdivisions and eligible to secure the deposit of certain funds; providing for the exercise of the power of eminent domain; providing certain obligations will be considered as tax obligations for certain purpose; declaring this Act cumulative of all other laws; declaring the accomplishment of the purpose of the Act to be essential; enacting other provisions incident to and related to the subject; providing a severance clause; and declaring an emergency."

To the Committee on Water and Conservation.

#### Senate Concurrent Resolution 33

Senator Colson offered the following resolution:

S. C. R. No. 33, Requesting Texas Legislative Council to study health and welfare services of State and the appointment of an Advisory Committee.

Whereas, The State of Texas spends annually approximately 90% of every dollar for highways, education, and public health and welfare, the total for the current biennium being in excess of \$2,192,100,000; and

Whereas, Through the State Highway Commission, the State Board of Education, the Commission on Higher Education and the various institutions of higher learning, the State of Texas has achieved a major degree of coordination in the fields of highways and education; and

Whereas, The health and welfare fields remain without central coordination, although the component Executive Department agencies concerned have attained various degrees of internal coordination through their respective governing boards; and

Whereas, Central coordination of the health and welfare fields in Texas' State Government would be of great assistance to the Legislature and would result in improved and more economical services to the citizens of Texas; and

Whereas, Central coordination of these fields could provide the means (1) to guarantee a continuing study and analysis of the State's health and welfare services, both as to cost and adequacy; (2) to study diagnostic services, care, training, educational and rehabilitation programs for the handicapped; (3) to develop recommendations for long range programs to be carried out by the several State departments, institutions, and agencies having health and welfare functions; (4) to study and recommend, where necessary, the elimination of duplication of services by the agencies or recommend the institution of additional services; (5) to determine the need for changes in administrative procedures and to recommend such changes to the agencies and departments concerned; (6) to examine from year to year the adequacy, coverage, and administration of old age assistance, assistance programs for the blind, the permanently and totally disabled, dependent children, and rehabilitation of the handicapped; and (7) to provide a channel through which composite recommendations can be made to the Legislature concerning these matters; and

Whereas, The exact nature of and the powers to be granted by the Legislature to a central coordinating agency in order to attain these and other desired ends can best be determined through a comprehensive study of all agencies and related activities involved at State and local levels; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That the Texas Legislative Council be and is hereby requested to undertake such a study, with any assistance it may deem necessary from public and private research agencies; and that all State departments, agencies, and institutions functioning

in the fields of health and welfare be and are hereby directed to cooperate fully with the Texas Legislative Council in this study; and be it further

Resolved, That an Advisory Committee consisting of twelve persons be appointed to assist the Texas Legislative Council in making this study—six members not connected with Texas State Government to be appointed by the Governor, three by the Lieutenant Governor from Members of the Senate, and three by the Speaker of the House from Members of the House. The traveling expenses of the Members of the Legislature shall be paid from the Legislative Expense Fund of the 57th Legislature; and be it further

Resolved, That the Texas Legislative Council shall make a complete report of its findings and recommendations to the 58th Legislature.

The resolution was read and was referred to the Committee on Public Health.

#### Senate Resolution 224

Senator Creighton offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Government Classes of Ranger College, Ranger, Texas, accompanied by their Department Chairman, Mrs. James P. Morris and Mrs. Roscoe Hopper, a sponsor; and

Whereas, These young men and women are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students of higher education a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Creighton by unanimous consent presented the students and

sponsors to the Members of the Senate.

#### Conference Committee on House Bill 119

Senator Moore called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 119 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conference Committee on the part of the Senate: Senators Moore, Patman, Crump, Reagan and Krueger.

#### Conference Committee on House Joint Resolution 46

Senator Parkhouse called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. J. R. No. 46 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conference Committee on the part of the Senate: Senators Parkhouse, Hardeman, Owen, Aikin and Crump.

#### Conference Committee on House Bill 189

Senator Roberts called from the President's table for consideration at this time the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 189 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conference Committee on the part of the Senate: Senators Roberts, Aikin, Smith, Ratliff and Creighton.

#### Senate Bill 136 with House Amendments

Senator Schwartz called S. B. No.

136 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Schwartz moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill: Senators Schwartz, Baker, Rogers, Dies and Hudson.

#### Senate Bill 60 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 60, A bill to be entitled "An Act relating to certain mortgages, deeds of trust and other security instruments covering both real and personal property and machinery affixed to realty located in the same county and providing that where such an instrument is deposited for filing and recordation in any such county as a mortgage or deed of trust on real property an affidavit descriptive of such instrument may be filed and indexed in the chattel mortgage records of realty in lieu of such deposit for filing, indexing and registration therein of the instrument itself."

The bill was read second time.

Senator Owen offered the following amendment to the bill:

Amend Senate Bill 60 by striking out the period at the end of Section 1 and insert the following:

; and (d) Corporations engaged, as public utilities, in the furnishing of telephone or telegraph service in this state or elsewhere.

The amendment was adopted.

Senator Owen offered the following amendment to the bill:

Amend Section 6 of Senate Bill 60 to read as follows:

"Section 6. The fact that the respective County Clerks are required under the law to keep on file the original copy and copies of instruments filed as Chattle Mortgages in the Chattle Mortgage Records on Realty where such instruments, though identical, are also required to be filed in the deed of trust records as a mortgage or deed of trust on real property within the same county, which results in needless and undue incumbrance of the County Clerk's records and needless expense to the public, creates an emergency and an imperative public necessity requiring that the Constitutional Rule that bills be read in each House on each of three separate days be suspended, and said Rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted."

The amendment was adopted.

On motion of Senator Owen and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 60 on Third Reading

Senator Owen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 60 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

## Absent—Excused

Herring

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

## Absent—Excused

Herring

## Senate Bill 56 on Second Reading

On motion of Senator Smith and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 56, A bill to be entitled "An Act amending Section 4 of Senate Bill 21, Chapter 251, Acts of the Fifty-third Legislature, Regular Session, 1953, codified in Vernon's as Section 4 of Article 4582b, Vernon's Civil Statutes, relating to funeral directing and embalming so as to authorize the State Board of Morticians to provide for a license for funeral establishments to operate; providing a license fee; making other provisions relating thereto; providing for an appeal from decisions of the Board; providing a severability clause; and declaring an emergency."

The bill was read second time.

Senator Smith offered the following committee amendment to the bill:

Amend Senate Bill 56, Section 1, paragraph (4), by striking the period at the end thereof and inserting a comma in lieu and adding the following:

"providing, however, that the accused may obtain a copy of any such stenographic report, upon request, at his own expense, said copy to be immediately delivered upon compliance with the payment therefor, which charge therefor shall not exceed that which is now allowed by law to official court reporters for copies of records in the district courts of this State."

The committee amendment was adopted.

Senator Smith offered the following committee amendment to the bill:

Amend Senate Bill 56, Section 1, by adding a new paragraph to be numbered (4a) to read as follows:

"(4a) The Board shall have the authority to promulgate such reasonable rules and regulations, as it deems proper, for the efficient administration of this Act, provided, however, that before such rules and regulations become effective they shall be approved, in writing, by the Attorney General of Texas as to their validity and a copy of any and all rules and regulations so promulgated, together with the written approval of the Attorney General shall be filed in the office of the Secretary of State for public inspection thereof. Any changes or amendments to any and all rules and regulations as may be promulgated by the Board shall, before they become effective, likewise be approved in writing by the Attorney General and be filed in the office of the Secretary of State for public inspection."

The committee amendment was adopted.

Senator Smith offered the following committee amendment to the bill:

Amend Senate Bill 56, Section 1 by providing a new paragraph to be numbered "(4b)" to read as follows:

"The action of the Board may be continued in effect during the pendency of an appeal from such order, provided however, that the Court in which the appeal may be pending is authorized to supersede or suspend any order or orders of the Board upon application, pending final determination of an appeal.

The committee amendment was adopted.

On motion of Senator Smith and by unanimous consent the caption was

amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 56 on Third Reading

Senator Smith moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 56 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Schwartz
Hazlewood	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

#### Nays—1

Patman

Absent—Excused

Herring

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Votes

Senators Hardeman and Patman asked to be recorded as voting "Nay" on the final passage of S. B. No. 56.

#### Senate Resolution 225

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 6th grade of Margaret Reilly School, accompanied by their teacher, Mrs. Evelyn Bozarth; and

Whereas, These students are on an

educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

HERRING  
KRUEGER

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students and Mrs. Bozarth to the Members of the Senate.

#### Co-author of Committee Substitute Senate Bill 2

On motion of Senator Schwartz and by unanimous consent he will be shown as Co-author of C. S. S. B. No. 2.

#### Motion to Place Committee Substitute Senate Bill 2 on Second Reading

Senator Baker moved to suspend the regular order of business and take up C. S. S. B. No. 2 for consideration at this time.

The motion was lost by the following vote:

#### Yeas—14

Aikin	Moffett
Baker	Parkhouse
Fuller	Patman
Gonzalez	Reagan
Hazlewood	Schwartz
Kazen	Secrest
Krueger	Willis

#### Nays—15

Calhoun	Moore
Colson	Owen
Creighton	Ratliff
Dies	Roberts
Hardeman	Rogers
Hudson	Smith
Lane	Weinert
Martin	

Absent

Crump

Absent—Excused

Herring

#### Senate Resolution 226

Senator Dies offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, Steele Wright and Perry Campbell; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Dies by unanimous consent presented the guests to the Members of the Senate.

#### Senate Resolution 227

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Joel Barry Bond of Dallas, Texas, accompanied by his parents, Mr. and Mrs. Jack Bond; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented the guests to the Members of the Senate.

#### Senate Resolution 228

Senator Krueger offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th, 8th and Special Ed. Classes, Lamar Elementary School of Del Valle, Texas, accompanied by their teachers and sponsors, Mrs. James, Mrs. Overton, Mr. Petet; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

HERRING  
KRUEGER

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the students, their teachers and sponsors to the Members of the Senate.

#### Senate Bill 313 on Second Reading

Senator Roberts asked unanimous consent to suspend the regular order of business and take up S. B. No. 313 for consideration at this time.

There was objection.

Senator Roberts then moved to suspend the regular order of business and take up S. B. No. 313 for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Nays—2

Baker Reagan

Absent—Excused

Herring

The President laid before the Sen-

ate on its second reading and passage to engrossment:

S. B. No. 313, A bill to be entitled "An Act providing for construction of additional floors for the State Insurance Building and the second State Office Building; completion of State Archives and Library Building; granting authority for the limited use and improvements on Capitol grounds to provide passageways and walks to new buildings; authorizing the Building Commission to rent unused properties; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 313 on Third Reading

Senator Roberts moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 313 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Nays—1

Reagan

Absent

Baker

Absent—Excused

Herring

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Calhoun	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Fuller	Ratliff
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Nays—2

Baker

Reagan

Absent—Excused

Herring

#### Senate Bill 196 on Second Reading

On motion of Senator Crump and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 196, A bill to be entitled "An Act making it unlawful to move or to transport, or cause to be moved or transported into, through or across Texas, certain animals or products from areas under State or Federal Quarantine on account of Screwworm infestation or Fever Tick infestation without proper treatment and certification; providing a penalty; repealing all laws in conflict therewith; providing for severability; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 196 on Third Reading

Senator Crump moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 196 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Calhoun
Baker	Colson

Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Hudson	Rogers
Kazen	Schwartz
Krueger	Secrest
Lane	Smith
Martin	Weinert
Moffett	Willis

Absent—Excused

Herring

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Patman
Crump	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	

Nays—1

Dies

Absent—Excused

Herring

#### Local and Uncontested Bill Calendar Committee

The President announced the following committee pursuant to the provisions of S. R. No. 30 as the Local and Uncontested Bill Calendar Committee:

Senators Martin, Chairman, Dies, Creighton, Hardeman and Owen.

#### House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the committees indicated:

H. B. No. 83, To Committee on Water and Conservation.

H. B. No. 424, To Committee on Game and Fish.

H. B. No. 63, To Committee on Jurisprudence.

H. C. R. No. 7, To Committee on Jurisprudence.

H. C. R. No. 47, To Committee on Jurisprudence.

#### Special Notice on Committee Substitute Senate Bill 1

Senator Roberts gave notice that he would on tomorrow move to suspend the rules to consider C. S. S. B. No. 1.

#### Adjournment

On motion of Senator Hardeman the Senate at 12:19 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.



## In Memory of Judge Samuel Asbury Lindsey

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Senator Calhoun offered the following resolution:

(Senate Resolution 222)

Whereas, In the passing of Judge Samuel Asbury Lindsey on the 28th day of February, 1961, the State of Texas, lost one of its most highly esteemed pioneers and a beloved citizen of this state and this nation; and

Whereas, He was born near Homer, Louisiana, on the 30th day of September, in the year 1863. At an early age, he moved with his parents to East Texas, settling first in Navarro County and then in Smith County, near Tyler, where he received his early schooling and commenced his distinguished public career as a country school teacher; and

Whereas, He won a competitive scholarship to Sam Houston Normal Institute at Huntsville, graduating with the class of 1883. He re-entered the teaching field and went into business in Tyler. He studied law and was admitted to the bar in 1891, while the Supreme Court of Texas was in session at Tyler; and

Whereas, Judge Lindsey was elected State Representative from Smith and Gregg Counties, and served as a member of the 22nd Legislature from January 13, 1891, to April 18, 1891, and again served at a Special Session of that body from March 14, 1892, to April 12, 1892, under Governor J. S. Hogg; and

Whereas, Judge Lindsey was elected County Judge of Smith County in 1901, and served a term of four years which term was marked by his intense interest in aiding the farm population on agricultural matters, and in the pioneer establishment of improved public roads; and

Whereas, Judge Lindsey first entered the field of telephony about 1901 with the founding of the S. A. Lindsey Telephone System operating in Smith County. This system grew in size to the Southern Telephone and Telegraph Company in 1905. With continued growth and expansion, under the leadership of Judge Lindsey, it became the Gulf States Telephone Company in March, 1911. This unbroken dedication to the highest ideals of public telephone service by active management and ownership established for Judge Lindsey a career in telephony of over 60 continuous years; and

Whereas, Judge Lindsey started as a tenant farmer. He developed a life-long interest in the problems of the farmer in the field of financing, and in credit systems for the farmer. He received an appointment from President Woodrow Wilson in 1913 to a Presidential Commission studying agricultural credit systems in Europe, and collaborated in his report of farm credit systems ultimately leading to the creation by Congress of the Federal Land Bank System of the nation and the establishment of farm loan associations as known today; and

Whereas, Judge Lindsey had an early interest in the field of banking and progressed as President of three banks of the Southwest: the Federal Land Bank of Houston; the National Bank of Commerce of Houston; and the Peoples National Bank of Tyler; and

Whereas, His knowledge of banking and finance coupled with his operations in the field of telephony led to the formation in 1923, of the Utilities Finance Corporation, one of the pioneer financing groups for small, independent telephone companies which operated until 1949 in assisting many established Texas telephone companies in long-term financing essential to public utility operations; and

Whereas, Judge Lindsey was a devout Christian gentleman, a man of rare vision possessed of a keen analytical mind devoted to the highest principles of honest and fair consideration of his associates, yet cloaked with a modesty of his accomplishments and a deep loyalty to his family, to his friends, to his state and to his nation; and

Whereas, He is survived by one daughter, Mrs. John F. Merrick, of Bandera, Texas; a granddaughter, Mrs. Bernard Wolf, of Tyler, Texas; and three great-grandsons; and

Whereas, The Senate of the State of Texas wishes to pay tribute to the memory of one of Texas' most outstanding citizens; now, therefore, be it

Resolved, That when the Senate of the 57th Legislature adjourns today, it do so in his memory; that a page in the Journal be set aside in respect to his courage and faith; and that copies of this Resolution be sent to his family with our deep personal regard.

The resolution was read and was adopted by a rising vote of the Senate.